

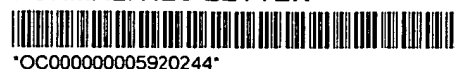
UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/788,286	02/16/2001	Michael B. Goshe	23-56765

CONFIRMATION NO. 5274

FORMALITIES LETTER



\*OC00000005920244\*

KLARQUIST SPARKMAN CAMPBELL  
LEIGH & WHINSTON, LLP  
One World Trade Center, Suite 1600  
121 S.W. Salmon Street  
Portland, OR 97204

Date Mailed: 03/30/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$286.
  - \$126 for 7 total claims over 20.
  - \$160 for 2 independent claims over 3.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1126.

The following item(s) appear to have been omitted from the application

05/16/2001	SZEWDIE1	00000010	09788286
01	FC:101		710.00 OP
02	FC:102		160.00 OP
03	FC:103		126.00 OP
04	FC:105		130.00 OP

- Figure(s) 6a up to 6c described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the Patent and Trademark Office (PTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(i))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the PTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the PTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s)


(with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h)) requesting the later filing date must be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the PTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the PTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the PTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

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*A copy of this notice **MUST** be returned with the reply.*

  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



LMC:cy 5/10/01 23-56765 50270

**BEST AVAILABLE COPY**

PATENT

Attorney Reference Number 23-56765

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Art Unit: 1641

Michael B. Goshe et al.

Application No. 09/788,286

Filed: February 16, 2001

For: PHOSPHOPROTEIN BINDING AGENTS  
AND METHODS OF THEIR USE

Examiner:

Date: May 10, 2001

CERTIFICATE OF MAILING

I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being deposited with the United States Postal Service on May 10, 2001, as First Class Mail in an envelope addressed to:  
BOX MISSING PARTS, COMMISSIONER FOR PATENTS,  
WASHINGTON D.C. 20231.

  
Attorney for Applicant

MISSING PARTS TRANSMITTAL LETTER

BOX MISSING PARTS  
COMMISSIONER FOR PATENTS  
Washington, DC 20231

Enclosed for filing in the application referenced above are the following:

- ☒ Copy of Notice to File Missing Parts of Application--Filing Date Granted
- ☒ Basic Filing Fee of \$710.00
- ☒ Additional claim fee of \$286.00
- ☒ Combined Declaration and Power of Attorney
- ☒ Assignment and Recordal Fee of \$40.00
- ☒ Surcharge for Late Filing of Fee or Oath or Declaration
- ☒ \$130.00 - All Others
- ☒ A check in the amount of \$1,166.00 to cover the above-listed fees
- ☒ Request to Rescind Previous Non-Publication Request
- ☒ Information Disclosure Statement
- ☒ Form PTO-1449 and copies of documents listed thereon

- ☒ The Director is hereby authorized to charge any additional fees which may be required, or credit over-payment, to Account No. 02-4550. A copy of this document is enclosed.

# BEST AVAILABLE COPY

LMC:ejv 5/10/01 23-56765 50270 12877-E

PATENT  
Attorney Reference Number 23-56765

☒ Please return the enclosed postcard to confirm that the items listed above have been received.

Respectfully submitted,

KLARQUIST SPARKMAN CAMPBELL  
LEIGH & WHINSTON, LLP

By

  
Lisa M. Caldwell

Registration No. 41,653

One World Trade Center, Suite 1600  
121 S.W. Salmon Street  
Portland, Oregon 97204  
Telephone: (503) 226-7391  
Facsimile: (503) 228-9446

cc: Docketing



**BEST AVAILABLE COPY**

PATENT  
Attorney Reference Number 23-56765  
Application Number 09/788,286

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Michael B. Goshe et al.

Art Unit: 1641

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Attorney for Applicant

**REQUEST TO RESCIND  
PREVIOUS NONPUBLICATION REQUEST 35 U.S.C. § 122(b)(2)(B)(ii)**

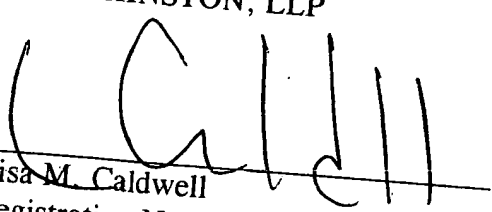
This request is signed in compliance with 37 C.F.R. § 1.33(b). The undersigned under 37 C.F.R. § 1.213(b) hereby **rescinds** the previous request that the application referenced above not be published under 35 U.S.C. § 122(b).

Dated: May 10, 2001

Respectfully submitted,

KLARQUIST SPARKMAN CAMPBELL  
LEIGH & WHINSTON, LLP

By

  
Lisa M. Caldwell

Registration No. 41,653

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121 S.W. Salmon Street  
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